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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,558	10/08/1999	SEPPO REINO KERONEN	169.1469	3473

5514 7590 04/10/2002

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EXAMINER

FUREMAN, JARED

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 04/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/414,558

Applicant(s)

KIRONEN ET AL.

Examiner

Jared J. Fureman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 46-81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 46-81 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 5, 7, 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Receipt is acknowledged of the IDS' filed on 1/6/2000, 2/16/2000, 8/22/2000, 10/25/2000, 7/24/2001 and the preliminary amendments filed on 2/16/2001 and 11/20/2001, which have been entered in the file. Claims 46-81 are pending.

#### ***Claim Objections***

1. Claims 46, 50, 55, 64, 69, 71, 76-79 are objected to because of the following informalities:

Claim 46, line 6, claim 50, line 5, claim 55, line 7, claim 64, line 6, claim 69, line 1, claim 76, line 5, claim 77, line 5, claim 78, line 6, and claim 79, line 6: --a-- should be inserted after "via".

Claim 71, line 2: "fast" should be replaced with --first--.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 46 and 48-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Combaluzier (WO 95/35534, cited by applicant) in view of Cohn et al (US 6,308,202 B1).

Combaluzier teaches a system and method including a card (3) to be inserted into a card reader (control housing 1) that communicates with another device (an

electrical apparatus, for example, radios, electrical communication apparatus with station search, digital telephone networks, bar code readers, see page 8, lines 13-21), the card comprising: a memory (chip 18) for storing first information associated with coordinates of an indicium (14) formed on the card and second information that is associated with the indicium and is used in the other device, wherein a location of the indicium is associated with the first information that was stored in the card, wherein the card reader obtains the second information associated with a user selected indicium (when the user presses one of the keys 13) using the first information and sends the second information to the other device, wherein the card reader determines if coordinates of an area on a touch sensitive membrane (the keys 13 are made of a touch sensitive membrane) arranged to overlay the card, which has been pressed by the user, match the first information stored in the card, wherein the card comprises a plurality of indicia formed thereon, the card reader includes a processor (9) for obtaining the second information, the system necessarily includes a card customizing apparatus for customizing the card (for example: an apparatus at the place of manufacture of the card), the card customizing apparatus comprising a processor for handling the first and second information, the processor being configured to write the first and second information into the memory of the card (the information is written at the time of manufacture of the card), wherein the card is printed by a writer device connected to the card customizing apparatus (the indicium 14 is printed on the card at the time of manufacture) (see figures 1, 2, 5-9, page 3 line 26 - page 4 line 21, page 5 lines 1-7, page 6 line 14 - page 9 line 27).

Combaluzier fails to specifically teach the card reader communicating with a computer device, the second information being used in the computer device to obtain a service via a communication line/computer network from an external site, wherein the computer device is a set top box having an application to provide the service, wherein the application is loaded on the set top box, wherein the external site is a server over a computer network, the computer device comprising a processor for receiving the second information from the card reader, the communication site comprising a processor for communicating with the computer device for providing a service to the computer device.

Cohn et al teaches a control unit (28) that communicates with a computer device (22), the control unit sending information to the computer device, the computer device receiving the information from the control unit and using the information to obtain a service via a communication line/computer network (32, 34, 10) from an external site (a site connected to the Internet 10), wherein the computer device is a set top box having an application to provide the service, wherein the application is loaded on the set top box, wherein the external site is a server over a computer network, the computer device necessarily includes a processor for receiving the information from the control unit, the communication site (a computer/server connected to the Internet 10) necessarily includes a processor for communicating with the computer device for providing a service to the computer device (see figures 1-3, column 3 line 17 - column 4 line 31).

In view of Cohn et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system, as taught by

Combaluzier, to include: the card reader communicating with a computer device, the second information being used in the computer device to obtain a service via a communication line/computer network from an external site, wherein the computer device is a set top box having an application to provide the service, wherein the application is loaded on the set top box, wherein the external site is a server over a computer network, the computer device comprising a processor for receiving the second information from the card reader, the communication site comprising a processor for communicating with the computer device for providing a service to the computer device, in order to provide the ability to use the card reader to control a set-top box and retrieve information desired by the user.

4. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Combaluzier as modified by Cohn et al as applied to claim 46 above, and further in view of Masuzawa et al (US 5,015,830).

Combaluzier as modified by Cohn et al fails to specifically teach the first information and the second information being inputted from a keyboard.

Masuzawa et al teaches the use of a keyboard (21) for inputting data to be written to a card (50) (see figures 1, 5, 6, column 1 lines 11-20, and column 5 lines 21-30).

In view of Masuzawa et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system, as taught by Combaluzier as modified by Cohn et al, to include: the first information and the second

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information being inputted from a keyboard, in order to utilize a simple and well established means/method of entering data to be stored in a card.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Studer et al (US 4,977,310), Suzuki (US 5,002,062), Combaluzier (US 5,973,475), Mankovitz (US 5,949,492), Grufman (US 6,014,593), Kono (US 6,229,694 B1), Onishi et al (JP 4-88547 A), and Ono (JP 8-68541 A) all teach devices including a clear touch sensitive membrane designed to overlay a card having indicia printed thereon.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

*jjf*

jjf

April 5, 2002

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
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